

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

2008-1224  
(Serial No. 09/614,937)

IN RE JEFFRY JOVAN PHILYAW

Appeal from the United States Patent and Trademark Office, Board of  
Patent Appeals and Interferences.

ON MOTION

Before MAYER, SCHALL, and LINN, Circuit Judges,

LINN, Circuit Judge.

ORDER

Jeffry Jovan Philyaw moves without opposition to remand this appeal to the United States Patent and Trademark Office.

Philyaw states that the basis of the remand is to allow him to file a Request for Continued Examination pursuant to 37 C.F.R. § 1.114. Section 1.114 may allow an applicant, inter alia, to submit additional information, including an information disclosure statement, an amendment to the written description, claims or drawings, new arguments or new evidence in support of patentability.

Upon consideration thereof,

IT IS ORDERED THAT:

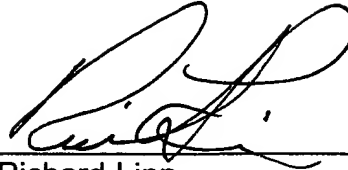
- (1) The motion to remand is granted.
- (2) All other motions are deemed moot.

(3) All sides shall bear their own costs.

FOR THE COURT

JUN 20 2008

\_\_\_\_\_  
Date



\_\_\_\_\_  
Richard Linn  
Circuit Judge

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

JUN 20 2008

**JAN HORBALY**  
**CLERK**

cc: Gregory M. Howison, Esq.  
Stephen Walsh, Esq.

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JUN 20 2008

ISSUED AS A MANDATE: \_\_\_\_\_